

**REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

**Status of Claims:**

Claim 19 is currently being cancelled.

Claims 18 and 21 are currently being amended.

Claim 33 is currently being added.

This amendment and reply adds, cancels and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After adding, canceling and amending the claims as set forth above, claims 18 and 20-33 are now pending in this application.

**Claim Rejections – Written Description:**

In the final Office Action, claims 19 and 21 were rejected under 35 U.S.C. § 112, 1<sup>st</sup> paragraph, as failing to comply with the written description requirement, for the reasons set forth on page 2 of the final Office Action. By way of this amendment and reply, claims 18 (which now includes the features of claim 19, now canceled) and 21 have been amended based on the comments made on page 2 of the final Office Action, whereby presently pending claims 18 and 21 are believed to fully comply with 35 U.S.C. § 112, 1<sup>st</sup> paragraph.

**Claim Rejections – Prior Art:**

In the final Office Action, claims 18, 20, 22, 23 and 27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,907,307 to Bickert in view of U.S. Patent No. 7,132,987 to Olsson; claims 28, 31 and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bickert in view of Olsson and further in view of U.S. Patent No. 7,031,762 to Shoji et al.; claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bickert in view of Olsson and further in view of U.S. Patent No. 6,590,544 to Filipovic; claims 25, 26 and 29 were rejected under 35 U.S.C. § 103(a) as being

unpatentable over Bickert in view of Olsson and further in view of U.S. Patent No. 6,615,026 to Wong; claim 30 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bickert in view of Olsson and further in view of U.S. Patent Publication No. 2002/0142794 to Harano; and claims 19 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bickert in view of Olsson and further in view of U.S. Patent No. 6,615,026 to Wong and U.S. Patent Publication No. 2003/0232628 to Fehrm. These rejections are traversed for the reasons given below.

Presently pending independent claim 18 now recites:

*A portable telephone comprising:  
a casing,  
an antenna mounted on an end of said casing; and  
a dielectric member having a relative dielectric constant of more than one and little loss;  
wherein said dielectric member is directly connected to a side of said antenna and to no other side of said antenna, said side of said antenna being positioned farther away from a body of a user than all other sides of said antenna when the user is operating said portable telephone,  
wherein said casing includes a lower casing on which a keyboard is disposed,  
wherein said antenna is mounted on a lower end of said lower casing, and  
wherein said dielectric member is directly connected to a front side of said antenna in which no other element except said casing is connected to said dielectric member, said front side of said antenna being positioned farther away from a palm as the body of the user when the user is holding said lower casing within the palm in order to operating the portable telephone.*

Referring now to the drawings of the present application, a dielectric member (17, 17A, 17B, 27A, 27B, 53) having a relative dielectric constant of more than one is directly connected to a side of an antenna (16, 16A, 16B, 26A, 26B, 52). This is shown in Figures 1 to 5, 10 and 11 of the drawings.

As recited in independent Claims 18 and 21, no other element except the casing is connected to the dielectric member.

In contrast, Wong discloses that a dielectric member 18 is within a casing of a mobile telephone 10 at a middle section of the casing, and that a metallic plate 14 is laminated on the dielectric member 18, as seen in Figure 1 of Wong. Therefore, one of the purposes of the

dielectric member 18 is to maintain the size of the mobile telephone to be within acceptable limits.

Since Wong teaches that his dielectric member 18 is connected to an antenna 12 and to a metallic plate 14, and thus his dielectric member 18 is not connected only to the antenna 12, it does not teach or suggest the specific features recited in independent claims 18 and 21.

Accordingly, since none of the other cited art of record rectifies this deficiency of Wong, presently pending independent claims 18 and 21 patentably distinguish over the combined teachings of Bickert, Olsson, Fehrm and Wong.

**New Claim:**

New independent claim 33 has been added, and recites that the dielectric member (17, 17A, 17B, 27A, 27B, 53) having a relative dielectric constant of more than one is directly connected to a side of the antenna conductor of the antenna. This is shown in Figures 1A, 1B, 2A, 2B, 3, 4, 5A – 5C, 10, 11A and 11B of the drawings, for example (see elements 16, 16A, 16B, 26A, 26B, 52).

In Figures 5A - 5C, numeral 29, which denotes a joint, is appended to one end surface of the antenna 16. Therefore, the joint is integrated with the antenna 16 and both are made of the same material. Page 8, lines 12 to 15 of the specification describes that the joint 29 corresponds to a feeding section for electricity supplying transmission power to the antenna 16 from a power amplifier disposed in the casing. Therefore, the feeding section 29 is made of conductor. Accordingly, the antenna 16 in Figures 5A to 5C is also made of conductor and is not covered with an antenna cover or any other type of cover. Also, as clearly seen in Figures 5A to 5C, the dielectric member 28, 30, or 31 is directly connected to the antenna conductor of the antenna 16.

The features recited in new independent claim 33 produce an advantageous effect that more electromagnetic waves radiated from the antenna 16 can be concentrated on the side opposite to the human body, resulting in a relative decrease in electromagnetic energy loss due to the human body, as described on page 5, lines 13 to 22, and on page 11, last line 2 to page 12, line 5 of the specification.

In contrast, Bickert discloses a dielectric member 12 that is merely attached to an antenna casing 30 but is not directly connected to the antenna conductor of the antenna 10, as shown in Figure 2 of Bickert. Even if not only the dielectric member 12 but also the antenna casing 30 and the space between the antenna casing 30 and the antenna conductor serve as a dielectric member, the antenna casing 30 and the space have a relative dielectric constant of one or less and large energy loss, and thus cannot meet the specific features recited in new independent claim 33.

Therefore, new independent claim 33 patentably distinguishes over the cited art of record, when taken as a whole (since none of the other cited art of record rectifies the above-mentioned deficiencies of Bickert).

**Conclusion:**

Since all of the issues raised in the final Office Action and the Advisory Action have been addressed in this Amendment and Reply, Applicants believe that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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